

CITY OF ANNISTON
July 6, 2021
5:30 P.M.

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - June 15, 2021 Regular meeting
 - June 19, 2021 Called meeting
- **ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**

I. BOARD CONFIRMATION

- (a)** Manuell Smith – Anniston Museum of Natural History

II. PUBLIC HEARING

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council's time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

- (a)** To receive public comments regarding over-ruling objections to the abatement of identified nuisances Group 2021-02 Unsafe Structures

III. UNFINISHED BUSINESS – None

IV. CONSENT AGENDA

- (a)** Resolution declaring a reported condition to be a public nuisance
Group 2021-05 Grass/Debris/Vehicles
- (b)** Resolution over-ruling objections to the abatement of identified nuisances caused by unsafe buildings, structures, or construction
Group 2021-02 Unsafe Structures
- (c)** Resolution amending the 2019 Action Plan to include the CDBG-CV3 allocation
- (d)** Resolution appointing member(s) to the Anniston Museum of Natural History
- (e)** Resolution appointing member(s) to the Downtown Development Authority
- (f)** Resolution authorizing the submission of a grant under the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant
- (g)** Motion to award the bid for a 2021 Crew Cab $\frac{3}{4}$ ton pickup or a compatible model for the Fire Department in the amount of \$33,987.50 to Sunny King Ford

V. MOTIONS

- (a)** Motion to reject the bids for Repair and Resurfacing the existing 6-lane red running track at the Anniston Sports Complex
- (b)** Motion to reject the bids for the prep and exterior painting of the Old Fire Station at McClellan located at 34 Traffic Circle, Anniston, AL
- (c)** Motion to reject the bids for removing and re-roofing of 1029 Gurnee Avenue (formerly Moore Printing)
- (d)** Motion to approve a Bingo Application for Anniston Elks Lodge #189

VI. ORDINANCES

- (a)** An ordinance adopting Chapter 13, Article IV of The Code of Ordinances to Regulate Short-Term Rentals
1st Reading

VII. ADDITIONAL OR OTHER MATTERS THAT MAY COME BEFORE COUNCIL

VIII. PUBLIC COMMENTS

Public Comment – Speaker Protocol

The City of Anniston believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. This opportunity to address City Council may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. Members of the general public who would like to address the City Council during the Public Comment portion of the meeting, may do so in accordance with the rules outlined in Ordinance 21-O-22 adopted by the City Council on November 2, 2020 as stated:

Section 12. Members of the public may address the Council or speak on matters of public concern during the period of the meeting agenda reserved for public comments, subject to the following procedures:

(a) No person shall be allowed to speak during public comments unless he or she submits a Request to Speak During Public Comments form to the Office of the City Manager no later than 3:00 P.M. on the Friday before the Council meeting. The request shall identify the speaker by name and residential address and shall specify the date of the meeting in which the speaker desires to offer public comments.

(b) The period for public comments shall be open to the **first ten (10) persons** who submit a timely request to speak during the meeting at hand.

(c) In advance of each meeting, the City Manager shall provide the Council a list of the persons authorized to speak during the period for public comments, not to exceed ten (10) persons, which shall identify the speakers in the order in which their requests were made. The presiding officer shall call on each person from the list. Once recognized, each person shall be provided no more than **three (3) minutes** to complete his or her public comments.

(d) Those persons who make a timely request, after the first ten (10) requests, shall be first on the list of persons authorized to speak during the period for public comments in the next meeting, unless he or she asks to be removed from the list.

Section 13. All comments made by members of the Council shall be restricted to the matter under consideration and shall be addressed to the presiding officer, except during the period of the meeting reserved for Council Comments. All comments made by members of the Council shall be restricted to three (3) minutes, unless the presiding officer grants exception for good cause.

Section 14. No comments shall be permitted by a member of the Council or by a member of the public that is of a disparaging nature or which would constitute a personal attack on the integrity of any member of the Council or the staff of the City.

Once the speaker has been recognized to speak, he/she should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Anniston, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agenda matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

(a) Dino Nanna

IX. COUNCIL COMMENTS

ADJOURNMENT

MINUTES

Anniston, Alabama

June 15, 2021

The City Council of the City of Anniston, Alabama, met in Regular Session in Room B at the Anniston City Meeting Center in the City of Anniston, Alabama, on Tuesday, June 15, 2021, at approximately 5:32 o'clock p.m.

Ciara Smith, Council Member, prayed the Invocation.

Ciara Smith, Council Member, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Roberts, Smith, Harris, and Draper; absent: none. A quorum was present and the meeting opened for the transaction of business.

Steven Folks, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Smith made a motion to waive the reading of and approve the minutes of the June 1, 2021 regular meeting. The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the June 1, 2021 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the agenda was adopted.

Mayor Draper made the following announcements: June 19, 2021 will be the Juneteenth Celebration at Zinn Park at 2:00 o'clock. He stated that the Heritage Festival will be held on August 28, 2021. He stated that the Calhoun County Beautification Board had selected the Regional Fire Training Center as the recipient of the 2021 Calhoun County Beautification Award. He wanted to commend Chief Waldrep and the Fire Department for all their good work.

Mayor Draper read the following addresses for the record: 79 Pelham Heights, 200 East 29th Street, 226 Cedar Lane, 314 West Oak Street, 408 West Oak Street, 618 East 22nd Street, 1324 Carter St, 1722 McDaniel Ave, 1812 Lynn Road, 6213 Meadowlark Drive, 6216 Spruce Drive, 6217 Meadowlark Drive.

Mayor Draper opened a public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2021-04 Grass/Debris/Vehicles.

Frank Christian, 6217 Meadowlark Drive, stated that they did not have time to get the car removed and asked the council for a little more time.

Tana Bryant, Senior Code Officer, stated that the family at 6213 Meadowlark showed up and have updated tags and removed the cars.

Mayor Draper stated that 6213 Meadowlark had been administratively removed for the record.

Mayor Draper closed the public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2021-04 Grass/Debris/Vehicles.

Council Member Jenkins made a motion to approve the consent agenda:

- (a) Resolution declaring a reported condition to be a public nuisance Group 2021-02 Unsafe Structures (21-R-45)
- (b) Resolution over-ruling objections to the abatement of identified nuisances Group 2021-04 Grass/Debris/Vehicles (21-R-46)
- (c) Motion to repeal Resolution 20-R-15 Declaring State of Emergency within the City of Anniston
- (d) Motion to repeal Resolution 21-R-26 Requiring Masks in city buildings, places, and spaces for the protection of Health and Human Life

The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the consent agenda was approved.

Mayor Draper introduced an ordinance amending Section 15.54 of the Code of Ordinances of the City of Anniston, Alabama removing a traffic signal (1st reading) (21-O-9)

Council Member Harris made motion to read Ordinance 21-O-9 by title only. The motion was seconded by Council Member Roberts.

Mayor Draper opened a public hearing to receive public comments on reading ordinance 21-O-9 by title only. No One Spoke. Mayor Draper closed the public hearing to public comments on reading ordinance 21-O-9 by title only.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried.

Mayor Draper read Ordinance 21-O-9 by title only.

Council Member Harris made a motion for unanimous consent for immediate consideration of Ordinance 21-O-9. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried.

Council Member Harris made a motion for passage and adoption of Ordinance 21-O-9. The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and Ordinance 21-O-9 was passed and adopted.

Mayor Draper introduced an ordinance amending section 15.56 of the Code of Ordinances of the City of Anniston, Alabama adding three-way stop intersections (21-O-10)

Council Member Harris made motion to read Ordinance 21-O-10 by title only. The motion was seconded by Council Member Smith.

Mayor Draper opened a public hearing to receive public comments on reading ordinance 21-O-10 by title only. No One Spoke. Mayor Draper closed the public hearing to public comments on reading ordinance 21-O-10 by title only.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried.

Mayor Draper read Ordinance 21-O-10 by title only.

Council Member Harris made a motion for unanimous consent for immediate consideration of Ordinance 21-O-10. The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried.

Council Member Harris made a motion for passage and adoption of Ordinance 21-O-10. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and Ordinance 21-O-10 was passed and adopted.

There being no further business to come before the council at that time Mayor Draper made a motion that the meeting be adjourned. The motion was seconded by Council Member Smith; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 5:44 o'clock p.m.

Anniston, Alabama

June 19, 2021

The City Council of the City of Anniston, Alabama, met in Special Session in Room B at the Anniston City Meeting Center in the City of Anniston, Alabama, on Saturday, June 19, 2021, at approximately 10:00 o'clock p.m.

Millie Harris, Council Member, prayed the Invocation.

Millie Harris, Council Member, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Roberts, Smith, Harris, and Draper; absent: none. A quorum was present and the meeting opened for the transaction of business.

Steven Folks, City Manager, was present.

Mayor Draper made a motion to adopt the agenda. The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the agenda was adopted.

Mayor Draper introduced and read a resolution designating Juneteenth as a City Holiday (21-R-47)

Council Member Smith made a motion for passage and adoption of Resolution 21-R-47. The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and Resolution 21-R-47 was passed and adopted.

There being no further business to come before the council at that time Council Member Jenkins made a motion that the meeting be adjourned. The motion was seconded by Council Member Smith; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 10:09 o'clock a.m.

BOARD CONFIRMATIONS

City of Anniston
BOARDS & COMMISSIONS
Application Form

Applicants are strongly urged to attend several meetings of a board prior to applying

Name of board or commission: Anniston Museum of Natural History Board

Your name: Manuell Smith, IV Home Phone #: _____

Street address: _____ City: _____ Zip Code: _____

Mailing address (if different): _____

Employer: Wells Fargo Bank

Your position: Branch Manager Office Phone #: _____

My primary residence is within the Anniston city limits: Yes _____ No ☒

If no, I reside within Calhoun County: Yes ☒

Have you previously serve on any city board? If so, which board: N/A

Are you aware of any potential conflicts of interest that may arise during your service on this board (i.e., property interest, business interest, etc.)? If so, please explain: No conflicts of interest

_____. Potential conflicts of interest do not preclude appointments.

Please indicate the area(s) of expertise that you can bring to the above board(s), and then list education, experience, reasons for your interest, and other factors that support your interest in serving. **Please use additional sheets if necessary.**

See Attachment

Return to:

Alan Atkinson, City Clerk
P.O. Box 2168
Anniston, AL 36202

E-Mail: citymanager@anniston.al.gov
Telephone: 256-231-7710

Signature: [Signature]

Date: 4/15/21

Email: _____

PUBLIC HEARING

Group 2021-02 Unsafe Structures

Address	PPIN	Owner
0 Moore Ave	1424	Cobb Vernon & Felicia
200 West 13 th Street	18870	Cobb Vernon L & Felicia R
202 West 13 th Street	18893	Cobb Vernon L & Felicia R
204 West 13 th Street	18871	Spirit of Anniston Foundation
206 West 13 th Street	18894	Orr Zadie McClellan <i>et al</i> & Spirit of Anniston Foundation
208 West 13 th Street	18872	Spirit of Anniston Foundation
214 West 13 th Street	18881	Lankford Betty
218 West 13 th Street	18882	Lankford Betty
1224 Moore Avenue	1422	Cobb Vernon & Felicia

CONSENT AGENDA

RESOLUTION NUMBER 21-R-__

A RESOLUTION DECLARING A REPORTED CONDITION TO BE A PUBLIC NUISANCE

WHEREAS, Tana Bryant, an Appropriate City Official, pursuant to Section 34.7 and 34.15 of said Ordinance, has reported to the City Council that conditions exist at **see attached (Group 2021-05 Grass/Debris/Vehicles)** in Anniston, Alabama that are believed to be a public nuisance; and

WHEREAS, the said City official submitted proof of said condition that was deemed by the City Council to be satisfactory to show that a public nuisance existed at the place specified; and

WHEREAS, Section 34.3 (b) (1), (2), (4) of the City of Anniston Ordinance No. 11-0-9 declares the following conditions to be a public nuisance: **overgrown lots, maintenance or storage of motor vehicles that are not in usable condition as defined in Section 34.2 of the Code of Ordinances and debris, motor vehicles and trash**; and

RESOLVED THEREFORE, that a public nuisance exists at the above said locations within the City of Anniston, said property being more particularly described on **Exhibit "A"** to this resolution; and

RESOLVED FURTHER, that the public nuisance must be abated by the City and the cost of abatement charged as a lien against the property if not remedied by the owner(s); and

RESOLVED FURTHER, that a hearing be set before the City Council at its next regular scheduled meeting to hear objections to the City's actions; and

RESOLVED FURTHER, that at least two NOTICES TO REMOVE PUBLIC NUISANCE be promptly posted by the Appropriate City Official in front of the said property at not more than 100 feet in distance apart as specified in Section 34.16 of the Code of Ordinances; and

RESOLVED FURTHER, that the Appropriate City Official shall post said NOTICE TO REMOVE PUBLIC NUISANCE, as aforesaid, at least 5 days prior to the time for hearing objections by the City Council; and

RESOLVED FURTHER, that the Appropriate City Official shall determine the name and address of the person or entity last assessing said property for tax purposes, and shall further cause a search to be made of the public records, and shall further make a diligent investigation to discover the name(s) and contact information of the owners of every beneficial interest in the said property; and

RESOLVED FURTHER, that the Appropriate City Official shall, at least 5 days prior to the time for a hearing of objections by the City Council, mail a copy of said Notice by certified or registered mail, with postage prepaid and return receipt requested, to the last person/entity assessing the property for taxes and to each owner of a beneficial interest in said property including, without limitation, mortgagees of record.

PASSED AND ADOPTED this the 6th day of **July 2021**.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: _____
Jack Draper, Mayor

BY: _____
Jay Jenkins, Council Member

BY: _____
Demetric Roberts, Council Member

BY: _____
Ciara Smith, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Skylar Bass, City Clerk

Exhibit "A"
Group 2021-05 Grass/Debris/Vehicles

Address	PPIN	Owner	Violation
14 Adams Street	73960	Kirby Cecil Sr. C/O State of Alabama	Weeds and debris
127 South Spruce	63041	INA Group LLC	Weeds and debris
201 East 28 th	25087	ALBC Properties LLC	Inoperable vehicle: silver Jeep tag unknown
1000 Sugarloaf	537	Collum William C	Weeds and debris
1134 Pine Ave	18764	Johnson Quo-Vadis C/O Johnson William Joseph	Weeds, debris and inoperable vehicle: gold Chevrolet Impala tag unknown
1326 Bancroft Ave	30606	Roper Leola Waters C/O State of Alabama	Weeds and debris
2730 Old Quintard	25033	Meiss Gabriel L Benitez & Meia Benitez	Weeds, debris and inoperable vehicle: Blue Jeep SUV tag unknown
2807 Wilmer Ave	25085	De La Rosa Roberto Escareno & Lopez	Inoperable vehicle: Red Ford SUV tag unknown, Black Chevrolet pick up tag unknown

RESOLUTION NUMBER 21-R-___

**A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED
NUISANCES CAUSED BY UNSAFE BUILDINGS, STRUCTURES, OR CONSTRUCTION**

WHEREAS, Act 1995-375, as amended by Act 2004-256 and codified as Ala. Code § 45-8-172, *et seq.*, and Act 2002-522, codified as Ala. Code § 11-53B-1, *et seq.*, establish unsightly or dangerous walls, abandoned or unsafe construction of any kind or nature, and unsafe buildings and structures, or parts thereof, to be public nuisances and further authorize the City to order or otherwise accomplish the removal of such nuisances;

WHEREAS, the City of Anniston declared the properties identified herein as being such public nuisances, notified the appropriate persons and entities, as required by law, directed said persons and entities to accomplish the necessary repairs or demolition to abate the nuisance conditions, and further notified said persons that the City may accomplish the repairs or demolition, as the case may be, and assess the costs thereof against the property if not made within the time specified in the respective notices;

WHEREAS, the public nuisances identified herein remain and the time prescribed for their voluntary abatement has expired;

WHEREAS, the Council has held a public hearing to consider objections to the identified public nuisances and the remedies deemed necessary to abate the same;

NOW THEREFORE, BE IT RESOLVED, by the Council for the City of Anniston, Alabama as follows:

Section 1. Upon due consideration, the Council hereby over-rules those objections and protests made with respect to the nuisances and remedies identified in Exhibit “A”, attached hereto. The Council directs the appropriate city officials to enforce the abatement of said nuisances and apply the recommended remedies in accordance with Chapter 34, Article III of “The Code of the City of Anniston, Alabama, 1981” and as otherwise specified or authorized by the laws of the State of Alabama, and to take such actions in the time, order, and manner deemed necessary or appropriate in light of the City’s budgetary, resource, and administrative constraints.

Section 2. The Fire Marshal, of his designee, is further directed to file notice in the Office of the Judge of Probate for Calhoun County, Alabama with respect to each property identified herein, which notice shall identify the necessary parties, provide a description of the real estate, and state the City of Anniston’s intention, by this Resolution of the Council, to abate the identified nuisance, accomplish the recommended remedy, as the case may be, and to assess the costs thereof against the land. Said notice shall be filed in the property records of the Office of the Judge of Probate so as to provide record notice of the pending proceedings to those interested persons, including any subsequent purchasers of the land, and to promote due process with respect to the actions taken as a result of this Resolution.

PASSED AND ADOPTED this the **6th** day of **July, 2021**

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: _____
Jack Draper, Mayor

BY: _____
Jay Jenkins, Council Member

BY: _____
Demetric Roberts, Council Member

BY: _____
Ciara Smith, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk

EXHIBIT "A"

Group 2021-02 Unsafe Structures

Address	PPIN	Owner
0 Moore Ave	1424	Cobb Vernon & Felicia
200 West 13 th Street	18870	Cobb Vernon L & Felicia R
202 West 13 th Street	18893	Cobb Vernon L & Felicia R
204 West 13 th Street	18871	Spirit of Anniston Foundation
206 West 13 th Street	18894	Orr Zadie McClellan <i>et al</i> & Spirit of Anniston Foundation
208 West 13 th Street	18872	Spirit of Anniston Foundation
214 West 13 th Street	18881	Lankford Betty
218 West 13 th Street	18882	Lankford Betty
1224 Moore Avenue	1422	Cobb Vernon & Felicia

RESOLUTION NUMBER 21-R-____

A RESOLUTION AMENDING THE 2019 ACTION PLAN TO INCLUDE THE CDBG-CV3 ALLOCATION

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA, AUTHORIZING THE ADOPTION AND APPROVAL TO AMEND THE FISCAL YEAR 2019 ANNUAL ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

WHEREAS, the City of Anniston has been designated as “Entitlement Community” and therefore receives direct annual funding from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program;

WHEREAS, the City desires to amend the 2019 Action Plan to include the allocation of **\$134,132.00** in CDBG-CV3 funding received through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to respond to the coronavirus pandemic known as COVID-19. The City will use \$107,305.60 in CARES Act CDBG funds for pavilion upgrades at the City of Anniston Senior Center and \$26,826.40 for administration costs.

WHEREAS, the Public Notice has been published and public meeting held for the HUD- required 5-day citizen participation, review and comment period;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Anniston, Alabama, that the City Manager is hereby authorized to sign the agreement and all documentation relating to the amendment.

PASSED AND ADOPTED this 6th day of **July, 2021**

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

Demetric D. Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk

RESOLUTION NUMBER 21-R-___

**A RESOLUTION APPOINTING MEMBER(S) TO THE ANNISTON MUSEUM OF
NATURAL HISTORY BOARD**

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted a schedule of nominations to govern appointments to the Anniston Museum of Natural History Board;

WHEREAS, the Council desires to make certain appointments to said Board in accordance with the previously adopted Schedule of Nominations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Anniston Museum of Natural History Board attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and ADOPTED this 6th day of **July, 2021**.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

Demetric Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk

EXHIBIT "A"

ANNISTON MUSEUM OF NATURAL HISTORY BOARD

Board Positions	Nominations	Board Member Name	Expiration Date	Explanation
2	Ward 2	Manuell Smith, IV	10/31/2024	Appointment

RESOLUTION NUMBER 21-R-___

**A RESOLUTION APPOINTING MEMBERS TO THE DOWNTOWN DEVELOPMENT
AUTHORITY**

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted a schedule of nominations to govern appointments to the Downtown Development Authority;

WHEREAS, the Council desires to make certain appointments to said Board in accordance with the previously adopted Schedule of Nominations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Downtown Development Authority attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and ADOPTED this 6th day of **July, 2021**.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

Demetric Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk

EXHIBIT “A”

DOWNTOWN DEVELOPMENT AUTHORITY

Board Positions	Nominations	Board Member Name	Expiration Date	Explanation
1	Ward 1	Rob Davie	03/31/2025	Reappointment
3	Ward 3	Mike Reese	03/31/2025	Reappointment
4	Ward 4	Bill Wakefield	03/31/2025	Reappointment
5	Mayor	Wes Couch	03/31/2025	Reappointment
6	Mayor	Katie Newton	03/31/2025	Reappointment
7	Mayor	Sharmon Sanders	03/31/2025	Reappointment

RESOLUTION No. 21-R-___

AUTHORIZING THE SUBMISSION OF A GRANT UNDER THE REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT

WHEREAS, the US Department of Transportation has the authority to award grants under the Rebuilding American Infrastructure with Sustainability and Equity (RAISE Discretionary Program); and

WHEREAS, the City of Anniston needs grant assistance for the construction of road improvements to serve Anniston Industrial Park.

NOW THEREFORE BE IT RESOLVED by the Anniston City Council as follows:

1. The City of Anniston is authorized to submit a grant application in the amount of \$ 6,431,028 under said program;
2. The City of Anniston will request a waiver on local share commitment; and
3. That the Mayor of the City of Anniston is authorized to sign any and all documents to secure said grant.

PASSED and **ADOPTED** this the **6th** day of **July, 2021**.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

Demetric Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk

RESOLUTION EXPLANATION

PURPOSE: Authorize submission of grant application

PROGRAM: RAISE Discretionary Program

AGENCY: US Department of Transportation

DEADLINE: July 12, 2021

PROJECT DESCRIPTION:

Anniston Industrial Park Road Improvements including US Highway 78, Werner Drive, National Drive, and Garret Circle

GRANT/LOCAL FUNDING:

RAISE Grant	\$ 6,431,028
Local Share	Waiver Requested
TOTAL	\$ 6,431,028

PREPARED BY: Louise Campbell, L.P. Campbell Company 6/25/2021

06/01/2021

FACT SHEET

SUBJECT: Evaluation of bids for a 2021 Crew Cab $\frac{3}{4}$ ton Pickup or a compatible model for the Fire Department

VENDORS SUBMITTING BIDS

Sunny King Ford

\$33,987.50

RECOMMENDATION: The bid should be awarded to Sunny King Ford for the amount of \$33,987.50.

MOTIONS

06/01/2021

FACT SHEET

SUBJECT: Evaluation of bids for Repair and Resurfacing the existing 6-lane red running track at the Anniston Sports Complex.

VENDORS SUBMITTING BIDS

Dynamic Sports Construction Inc.	\$85,791.00
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RECOMMENDATION: Reject offer and rebid project.

06/01/2021

FACT SHEET

SUBJECT: Evaluation of bids for the prep and exterior painting of the Old Fire Station on McClellan located at 34 Traffic Circle, Anniston, AL.

VENDORS SUBMITTING BIDS

Kilgore Construction Inc.	\$86,621.00
Tommy Hines VWC Services.	\$17,850.00

RECOMMENDATION: Reject the offers and rebid the project.

FACT SHEET

SUBJECT: Evaluation of bids for the removing and re-roofing of 1029 Gurnee Ave (formerly Moore Printing).

VENDORS SUBMITTING BIDS

Brown Roofing Co. Inc.

\$73,900.00

RECOMMENDATION: The bid for the removing and reroofing of 1029 Gurnee Ave (formerly Moore Printing) should be rejected and rebid.

ORDINANCES

ORDINANCE NO. 21-O-__

**ADOPTING CHAPTER 13, ARTICLE IV OF THE CODE OF ORDINANCES TO
REGULATE SHORT-TERM RENTALS**

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Anniston, Alabama as follows:

Section 1. The Council hereby adopts and enacts Chapter 13, Article IV of “The Code of The City of Anniston, Alabama, 1981,” governing Short-Term Rentals, codified therein as Sections 13.9 through 13.16 therein, to state in its entirety as follows:

ARTICLE IV – SHORT-TERM RENTALS

Sec. 13.9. – Short-Term Rentals (Air B&B)

The following regulations apply to the short-term rental of dwelling units in residential and nonresidential districts within the City of Anniston. For purposes of this Article, "Short-Term Rental" or "STR" means a dwelling unit, or a part thereof, rented or offered for rent for at least one overnight stay but less than 30 days per rental. The rental of a dwelling unit for a weekly, monthly, or other definite term exceeding one month shall be a Long-Term Rental and governed by Chapter 13, Article III, Rental Housing Health and Safety.

Sec. 13.10. – Licensing.

(a) No person or entity shall offer, advertise, or rent a STR without first obtaining a valid and current STR Business License from the City. The STR Business License shall be obtained for each STR owned or operated by any person or entity.

(b) To obtain a STR Business License, the owner or operator of a STR shall submit an application for a STR License in the form provided by the City. The application shall include the name and telephone number of the person designated as the emergency contact for the STR. The emergency contact must be able to answer calls 24 hours a day, seven days a week for the duration of each STR period, and he or she must be able to respond within one hour to complaints about the condition or operation of the STR or conduct of renters or their guests. The emergency contact must also be able to respond on-site within 12 hours at the request of the City. Prior to any change to the emergency contact, the owner or operator must submit the revised contact information to the City Clerk.

(c) Any person or entity granted a STR Business License must obtain and maintain vacation rental insurance, short-term rental insurance, or an equivalent form of insurance coverage. Proof of insurance must be provided within 30 days of the date on which the City issues the STR

Business License. Proof of insurance must be resubmitted each year for renewal of the STR Business License.

(d) Within one calendar week of receiving a STR Business License from the City, the owner or operator must deliver written notice the owners of any properties adjoining the STR, and provide a copy of the notice to the City Clerk, stating the following information: (1) The names, addresses, and telephone numbers of the owner and operator of the STR and the emergency contact; (2) The telephone number for the public to report violations to the City's Code Enforcement; (3) The maximum number of renters permitted to stay in each STR unit; and (4) The maximum number of vehicles that a renter of each STR unit is permitted to park at the property.

(e) The person or entity granted a STR Business License shall charge, collect, report, and remit to the City a privilege or license tax in the amount and manner specified and required for taxes levied under Chapter 30, Article II, Division 2, Section 30.22(g).

Sec. 13.11. – Standards.

(a) A STR shall be rented only for a lodging use. A STR shall not be rented for weddings, parties, concerts, or similar events, and a STR shall not be used for such purposes of events during any rental period.

(b) No person or entity shall display any on-premises signage legible from any public street or right-of-way pertaining to any STR located in a residential or planned residential district.

(c) Each STR shall comply with all applicable laws, ordinances, regulations, and codes of the City, including, but not limited to, those governing building construction, fire safety, noise, and garbage collection and disposal.

(d) Each STR must have adequate off-street parking to accommodate all renter and guest parking needs. No person shall park a recreational vehicle, buses, or trailers on the street or forward of the front building line.

(e) No STR licensee, owner, or operator may prepare or serve food to any renter or guest. Cooking facilities are not permitted in any STR guest rooms.

(f) A copy of the STR license, emergency contact information, and house rules, which must comply with this Article, shall be posted in a conspicuous place within the STR.

(g) Upon notification that a renter or a renter's guest has violated any provisions of this Article or any noise, garbage, or other applicable provision of the laws, ordinances, regulations, and codes of the City, the owner, operator, or emergency contact must promptly notify the renter of the violation and take such action as is necessary to prevent a recurrence.

Sec. 13.12. – Occupany.

- (a) A STR unit shall not be rented to or occupied by more than one guest or party during any rental period.
- (b) The occupancy of a STR unit shall be limited to the most restrictive of the following: (1) No more than two persons per bedroom plus two persons; or (2) No more than four persons per parking space.
- (c) The number of bedrooms and parking spaces for each STR shall be determined by the Building & Safety Division in connection with the issuance of a STR Business License or Certificate of Occupancy.
- (e) The owner or operator must, by written agreement with the renter, limit overnight occupancy of each STR unit to the maximum occupancy allowed by this Section.

Sec. 13.13. – Certificate of Occupancy; Inspection Fees.

- (a) No person or entity shall rent a STR unit without a valid and current Certificate of Occupancy issued upon inspection and approval by the Building & Safety Division. Each Certificate of Occupancy shall be valid for twelve (12) months from the date of issuance.
- (b) To obtain a Certificate of Occupancy, the owner, operator, or licensee must request and schedule an inspection by Building & Safety Division of any STR units to be offered for rent. The Building & Safety Division shall verify the information provided in the application and ensure the STR complies with the applicable building safety and property maintenance codes adopted by the City. The City may not issue or renew a Certificate of Occupancy until the owner, operator, or licensee corrects any violations identified upon inspection. The City shall not charge a fee for the issuance of a Certificate of Occupancy when issued upon inspection by the Building & Safety Division.
- (c) The owner, operator, or licensee may also obtain a Certificate of Occupancy from the City upon submission of a verified statement of compliance and approval of occupancy upon inspection by a qualified agency. In such cases, the City shall charge and collect a fee in the amount of ten dollars (\$10.00) for the issuance of a Certificate of Occupancy.
- (d) In the event an STR is occupied by a renter or guest before a Certificate of Occupancy is issued for the unit, in violation of the provisions of this Section, the Building & Safety Division shall perform an inspection of the STR, and the City shall charge and collect a fee from the owner, operator, or licensee as follows: (1) One hundred dollars (\$100.00) for the first inspection following an un-permitted occupancy; (2) Two hundred fifty dollars (\$250.00) for the second inspection following an un-permitted occupancy; and (3) Five hundred dollars (\$500.00) for the third inspection following an un-permitted occupancy.

Sec. 13.14. – Violations.

(a) If, after investigation, the Building & Safety Division determines that any provisions of this Article have been violated, the Building & Safety Division will provide written notice to the licensee of the violations, any corrective action required, and the due date for compliance, as applicable. The Building & Safety Division may approve an extension of the due date for compliance if substantial progress has been made towards compliance.

(b) In addition to the other remedies set out in this Article, the Building & Safety Division may, in an exercise of discretion, issue a warning to the person responsible for the violation if that person has not been previously warned or cited for violating a provision of this Article.

(c) If a violation has not been corrected by the due date for compliance, the Building & Safety Division may cause the temporary suspension of the STR Business License for unit or units where the violation has persisted until such time as the violation is corrected.

(d) When recurrent violations occur at an STR, including noise, occupancy, parking, and safety violations, the City's Code Enforcement Officer may request that the Council revoke the STR Business License. In such case, the Council shall hold a public hearing, after at least seven days' notice to the licensee, after which the Council may order the revocation or suspension of the STR Business License.

Sec. 13.15. – Time for Compliance.

This Article and the provisions set forth herein shall apply to and govern all STR units in the City of Anniston. Any owner or operator of a STR within the City shall obtain any necessary licenses, certificates, and permits within thirty (30) days of the effective date of the ordinance adopting this Article.

Sec. 13.16. – Enforcement; penalties.

The violation of the provisions of this Article shall be an offense. Any person committing a violation shall, upon conviction, be punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00).

Section 2. Chapter 13, Article IV of "The Code of The City of Anniston, Alabama, 1981," as stated above in Section 1 of this ordinance, shall govern and regulate Short-Term Rentals and the business, requirements, and conduct pertaining thereto, within the City of Anniston's corporate limits. The provisions of this ordinance shall have the force of law.

Section 3. This ordinance shall take effect upon its adoption and publication as required by law. The City Clerk is directed to publish this ordinance in The Anniston Star, a newspaper of general circulation published within the City of Anniston.

PASSED AND ADOPTED on this the ____ day of **July, 2021.**

COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

Demetric Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk